

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PENSIONS – “Emoluments” for calculation of retirement Gratuity and Enhancement of maximum limit of Retirement Gratuity from Rs.3,50,000/- to Rs. 10,00,000/ in respect of the Judicial Officers - Orders - Issued.

LAW (LA & J SC.F) DEPARTMENT

G.O.Ms.No.155

Dated 30-11-2010

Read the following:-

- 1) The directions issued by the Hon'ble Supreme Court on 28.04.2009 in [I.A.No. 244](#) in W.P. (C) No.1022/1989 All India Judges Association and Others Vs. Union of India and others.
- 2) From the Registrar (Admn.), High Court of A.P., ROC No. 555/2009-B1, dated 14.6.2010.
- 3) From the Supreme Court of India, Judgment in I.A.No.244 in W.P. (Civil) No. 1022 of 1989, dated: Nil.
- 4) G.O.Ms.No. 73, Law (LA&J. SC.F) Department, dt. 1.5.2010.
- 5) From the Supreme Court of India, Judgment in I.A.No.244 in W.P. (Civil) No. 1022 of 1989, dated: 19.07.2010 and 26.07.2010.
- 6) G.O (P) No.249, Finance (Pen.I) Deptt., dt. 4.10.2005.

ORDER:

The Hon'ble Supreme Court by order dated 28.4.2009 vide reference first read above appointed One Man Commission headed by Justice E.Padmanabhan (Retd.) to determine the revision of pay, allowances, perquisites payable to all Judicial Officers working and retired throughout the country on the basis of First National Judicial Pay Commission. The Commission submitted its report dated 17.7.2009 to the Hon'ble Supreme Court. The Hon'ble Supreme Court issued directions to the Government for implementation of recommendations of Justice E.Padmanabhan Commission Report. In the G.O. fourth read above orders were issued implementing the recommendations of the Justice Padmanabhan Commission on revision of pay scales. The Supreme Court of India in its order dt. 19.7.2010 and 26.7.2010 vide reference fifth read above has accepted the report of Justice Padmanabhan Committee in toto, as far as allowances and retirement benefits are concerned, wherein, interalia, recommended to increase the gratuity from Rs.3,50,000/- to Rs. 10,00,000/- w.e.f 1.1.2006.

2. After careful consideration of the Report of Justice Padmanabhan Committee and orders of Hon'ble Supreme Court of India in I.A.No.244 in W.P. (Civil) No. 1022 of 1989, dated 19.07.2010 and dated 26.07.2010, Government decided to accept the recommendations of the committee and directions of the Hon'ble Supreme Court and in obedience thereof hereby order that:

- (i) "the maximum limit of Retirement Gratuity/ death cum retirement gratuity of Rs.3,50,000/- fixed in the orders 6th read above shall be raised to Rs.10,00,000/- in respect of Judicial Officers w.e.f 1.1.2006.
- (ii) the amount of Dearness Allowance admissible as on the date of retirement/ on the date of death of employee while in service be treated as "emoluments", in addition to the basic pay, for purpose of arriving at the amount of retirement gratuity.
- (iii) The formula for calculation of Retirement Gratuity shall be as ordered in para 3 of G.O.Ms.No.14 Finance & Planning (FW: Pen.I) Department, dated 30.1.1999.

3. These orders shall come into force with effect from 1.1.2006 and shall apply only to the Judicial Officers categorised in the G.O. 4th read above.

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4. This order issues with the concurrence of Finance (Pen.I) Department vide their U.O. 32656/432/A1/Pen.I/10, dated 25.11.2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

A. SHANKARANARAYANA,
SECRETARY TO GOVERNMENT (LA&J).

To

The Secretary to Government of India, Ministry of Law, Justice & C.A.,
New Delhi

The Assistant Registrar, Supreme Court of India, New Delhi
with a covering letter.

The Advocate on Record, Supreme Court of India,
O/o the Resident Commissioner, A.P.Bhavan, New Delhi.

The Registrar General, High Court of Andhra Pradesh.

The Registrar (ADMN), High Court of Andhra Pradesh.

The Registrar, High Court of Andhra Pradesh, Hyderabad

The Registrar, A.P. Administrative Tribunal, Hyderabad,

The Prl.Secretary to Government, General Administration Deptt. & Resident
Commissioner to Government,

Government of A.P., A.P Bhavan, New Delhi

The Accountant General, A.P. Hyderabad,

The Pay & Accounts Officer, Hyderabad.

Copy to:

The Finance (EBS Home) Department

The Law (OP) Department

The Law (Courts) Department

The General Administration (Cabinet/Claims/OP/Spl.A) Deptts.

Sf/Sc

// FORWARDED BY ORDER //

SECTION OFFICER (SC)